The Kadi Sarva Vishwavidyalaya Act, 2007

Act 21 of 2007

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PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The Following Act of the Gujarat Legislature, having been assented to by the Governor on the 16th May, 2007 is hereby published for general information.

H. D. VYAS,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 21 OF 2007.

(First published, after having received the assent of the Governor in the *"Gujarat Government Gazette"*, on the 16th May, 2007).

AN ACT

to provide for the establishment of the Kadi Sarva Vishwavidyalaya, Gandhinagar, Gujarat by law and to confer the status of a non-affiliating University thereon and for matters connected therewith or incidental thereto.

It is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:-

CHAPTER I
PRELIMINARY

Short title and commencement.

(1) This Act may be called the Kadi Sarva Vishwavidyalaya Act, 2007.

(2) This section shall come into force at once and the remaining provisions shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Definitions. **2.** In this Act, unless the context otherwise requires, -

(a) "Academic Council" means the Academic Council of the University constituted under section 16;

(b) "Board" means the Board of Governors of the University constituted under section 12;

(c) "Chairman" means the Chairman of the Board;

(d) "Director" means the Director of the University appointed under section 20;

(e) "Deans" mean the Deans of the University appointed under section 22;

(f) "Finance Committee" means Finance Committee of the University constituted under section 18;

(g) "President" means the President of the University appointed under section 8;

(h) "prescribed " means prescribed by the Regulations;

(i) "Registrar" means the Registrar of the University appointed under section 23;

(j) "Regulations" means the regulations of the University made under section 36;

(k) "Schedule" means the Schedule appended to this Act;

(l) "Trust" means the Sarva Vidyalaya Kelavani Mandal, Kadi registered under the Bombay Public Trusts Act, 1950; Bom. 29 of 1950.

(m) "University" means the Kadi Sarva Vishwavidyalaya, a University established under section 3.

CHAPTER II
UNIVERSITY

Establishment and incorporation of University. **3.** (1) There shall be established a University by the name of "the Kadi Sarva Vishwavidyalaya, Gandhinagar, Gujarat".

(2) The President, the Board, the Academic Council, the Director, the Deans, the Registrar and all other persons who may hereafter become such officers or members so long as they continue to hold such office or membership, are hereby constitute a body corporate by the name of "the Kadi Sarva Vishwavidyalaya, Gandhinagar, Gujarat".

(3) The University shall function as a non-affiliating University and it shall not affiliate any other college or institute for the conferment of degree, diploma and grant certificate to the students admitted therein.

(4) The colleges and institutions specified in the Schedule, affiliated to and enjoying the privileges of the Gujarat University immediately before the commencement of this Act shall cease to be affiliated from the Gujarat University and shall be deemed to be withdrawn from such privileges from the date of commencement of this Act and shall be deemed to be admitted to the privileges of the University, and all such colleges and institutions shall be the constituents colleges and institutions of the University.

(5) The University shall be a body corporate by the name aforesaid, having perpetual succession and common seal with power, subject to the provision of this Act, to acquire and hold property, to contract and shall, by the said name, sue or be sued.

(6) The University shall not receive any grant-in-aid or other financial assistance from the State Government or the Central Government.

Headquarters of University.

4. The headquarters of the University shall be at Gandhinagar, Gujarat.

Objects of University.

5. The objects of the University shall be to develop the knowledge of science, technology, dental, medical, paramedical, physiotherapy, pharmacy, commerce, education, management, computers and humanities for the advancement of mankind. The objects of the University shall be as follows, namely:-

(i) to disseminate, create and preserve knowledge and understanding by teaching, research, training and extension activities by effective demonstration and influence of its corporate life on society in general;

(ii) to create centres of excellence for providing knowledge, education, training and research facilities of high order in the field of science, technology, dental, medical, physiotherapy, paramedical, pharmacy, commerce, education, management, computers, humanities and other related professional education and such other related matters as may develop in future, including continuing education and distance learning;

(iii) to develop patterns of teaching for a certificate, diploma and degree of Graduate and Post-graduate courses and at Doctoral level and to maintain a high standard of education, its applications, to create capabilities for upgrading science and technology, dental, medical, physiotherapy, paramedical, pharmacy, commerce, education, management, computers humanities and technology infrastructure to the global standards;

(iv) to develop training facilities and to make arrangements for training in higher education, professional education, and allied fields, to provide for inter-relationship for national and global participation, in the field of science and technology, dental,

medical, physiotherapy paramedical, pharmacy, commerce, education, management, computers and its allied fields of humanities and social concerns;

(v) to function as a learning resource centre;

(vi) to provide for arrangement for national and global participation in the field of higher and professional education including technical education, science and technology, dental, medical, physiotherapy paramedical, pharmacy, commerce, education, management, computers and its allied fields of humanities and social concerns; and

(vii) to establish close linkage with the industry to make teaching, research and training at the University, relevant to the needs of the society, at national and global level.

University open to all irrespective of sex, religion, class, creed or opinion.

6. (1) No person shall be excluded from any office of the University or from membership of any of its authorities, bodies or committees or from admission to any degree, diploma or other academic distinction or course of study on the ground of sex, race, creed, caste, class, place of birth, religious belief or political or other opinion.

(2) It shall not be lawful for the University to impose on any person any test whatsoever relating to sex, race, creed, caste, class, place of birth, religious belief or political or other opinion in order to entitle him to be admitted as a teacher or a student or to hold any office or post in the University or to qualify for any degree, diploma, or other academic distinction or to enjoy or exercise any privilege of the University or any benefaction thereof.

Powers and functions of University.

7. Subject to the provisions of this Act, the University shall exercise the following powers and perform the following functions, namely:-

(i) to administer and manage the University and such centres within the University campus for research, education and instruction as are necessary for the furtherance of the objects of the University;

(ii) to provide for instruction, training, research in such branches of knowledge or learning pertaining to science, technology, dental, medical, physiotherapy, pharmacy, commerce, education, management, computers, humanities and allied areas and for advancement and dissemination of science and technology and the allied areas;

(iii) to conduct innovative experiments in new teaching and learning methods and technologies in the field of science and technology, dental, medical, physiotherapy, pharmacy, commerce, management, computers and allied areas in order to achieve international standards of such education, training and research;

(iv) to prescribe courses of study and curricula and provide for flexibility in the education system and delivery methodologies including electronic and distance learning;

(v) to hold examinations through electronic mode also and confer degrees, diplomas or grant certificates, and other academic distinctions or titles on persons subject to such conditions as the University may determine, and to withdraw or cancel any such degrees, diplomas, certificates, or other academic distinctions or titles in the prescribed manner;

(vi) to confer honorary degrees or other distinctions in the prescribed manner;

(vii) to establish such special centres, specialized study centres or other units within the University campus for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(viii) to provide for printing, reproduction and publication of research and other works and to organize exhibitions, workshops, seminars and conferences;

(ix) to sponsor and undertake research in all aspects of science, technology, dental, medical, physiotherapy, pharmacy, commerce, education, management, computers and humanities and allied areas;

(x) to collaborate or associate with, advise, administer, control, develop and maintain with other Universities or any educational institution with like or similar objects;

(xi) to develop and maintain linkages with educational or other institutions having objects wholly or partially similar to those of the University, through exchange of teachers, students and scholars, and generally in such manner as may be conducive to their common objects;

(xii) to develop and maintain relationships with teachers, researchers and domain experts in science, technology, dental, medical, physiotherapy, pharmacy, commerce, education, management, humanities and allied areas for achieving the objects of the University;

(xiii) to regulate the expenditure and to manage the finances and to maintain the accounts of the University;

(xiv) to receive funds from industry, national and international organizations or any other source as gifts, donations, benefactions or bequests by transfers of movable and immovable properties for the purposes and objects of the University;

(xv) to establish, maintain and manage halls and hostels for the residence of students;

(xvi) to supervise and control the residence and regulate the discipline of students of the University and to make arrangements for promoting their health and general welfare and cultural activities;

(xvii) to fix, demand and receive or recover fees and such other charges in accordance with the guidelines of the State Government or National Statutory bodies;

(xviii) to institute and award fellowships, scholarships, prizes, medals and other awards;

(xix) to purchase or to take on lease or accept as gifts or otherwise any land or building or works which may be necessary or convenient for the purpose of the University on such terms and conditions as it may think fit and proper and to construct or alter and maintain any such building or works;

(xx) to sell, exchange, lease or otherwise dispose of all or any portion of the properties of the University, movable or immovable, on such terms as it may think fit, consistent with the interest, activities and objects of the University;

(xxi) to draw and accept, to make and endorse, to discount and negotiate promissory notes, bills of exchange, cheques or other negotiable instruments;

(xxii) to raise and borrow money on bond, mortgages, promissory notes or other obligations or securities founded or based upon all or any of the properties and assets of the University or without any securities upon such terms and conditions as it may think fit and to pay out of the funds of the University, all expenses incidental to the raising of money, to repay and redeem any money borrowed;

(xxiii) to invest the funds of the University in or upon such securities and transpose any investment from time to time in such manner as it may deem fit in the interest of the University;

(xxiv) to execute conveyances regarding transfers, mortgages, leases, licenses, agreements, and other conveyances in respect of property, movable or immovable including Government securities belonging to the University or to be acquired for the purpose of the University;

(xxv) to admit the students for the courses offered by the University in the prescribed manner;

(xxvi) to create academic, technical, administrative, ministerial and other posts, to prescribe qualifications therefor and to make appointments thereto;

(xxvii) to regulate and enforce discipline among the officers and employees of the University and to provide for such disciplinary measures as may be prescribed;

(xxviii) to institute professorships, associate professorships, assistant professorships, readerships, lecturerships and any other teaching, academic or research posts and to prescribe qualifications for the persons to be appointed on such posts;

(xxix) to appoint persons as professors, associate professors, assistant professors, readers, lecturers or as teachers and researchers of the University;

(xxx) to delegate all or any of its powers (except the power to make regulations) to any other officer or authority of the University; and

(xxxi) to do all such other acts and things as the University may consider necessary, conducive or incidental to the attainment or enlargement of all or any of the objects of the University.

CHAPTER III

AUTHORITIES OF UNIVERSITY

President.

8. (1) The President of the University shall be appointed by the Trust.

(2) The President shall hold office for a period of three years from the date of appointment and shall be eligible for re-nomination. .

(3) The other terms and conditions of the President shall be such as may be determined by the Trust.

(4) Where a vacancy in the office of the President occurs on account of death, resignation or otherwise, the Trust shall immediately appoint suitable person to be the President of the University.

(5) The President may resign from his office by writing under his hand addressed to the Managing Trustee of the Trust and such resignation shall take effect from the date of acceptance by the Trust.

Powers of President.

9. (1) The President shall have all the powers necessary for the purpose of ensuring the implementation of the provisions of the Act and the regulations made thereunder.

(2) The President shall be entitled to be present and with the right to speak at any meeting of any authority or body of the University.

(3) The President shall have, subject to the provisions of this Act, power to cause an inspection or review to be made by such person or persons as he may direct, of the University, its buildings, libraries, equipments and systems and processes and of any institution or centre maintained by the University, and also of the examinations, teaching, research and other work conducted or done by the University and to cause

an enquiry to be made in like manner and in respect of any matter connected with the administration and finances of the University.

Authorities of University. **10.** The following shall be the authorities of the University, namely :-

(a) the Board of Governors,

(b) the Academic Council,

(c) the Finance Committee, and

(d) such other Authorities as may be declared by the regulations to be the authorities of the University.

Officers of University. **11.** The following shall be the officers of the University, namely:-

(a) the President,

(b) the Director,

(c) the Deans,

(d) the Registrar, and

(e) such other officers in the services of the University as may be declared by the Regulations to be the officers of the University.

Board of Governors. **12.** (1) The Board of Governors of the University shall consist of the following members, namely:-

(i) the President, who shall be the Chairman of the Board;

(ii) two representatives of the Executive Committee of the Trust;

(iii) the Director of the University;

(ii) two Deans of the University, by rotation, to be nominated by the Director;

(iii) the Secretary to Government (Higher and Technical Education), Education Department, Government of Gujarat, *ex-officio;*

(iv) three experts representing other disciplines such as finance, legal, management, humanities, to be nominated by the President; and

(v) two representatives of the Industries, to be nominated by the President.

(2) The Registrar shall be the Secretary of the Board.

Powers of Chairman. **13.** (1) The Chairman shall preside over at the meetings of the Board and at the convocations of the University.

(2) The Chairman shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Regulations.

Powers and functions of Board.

14. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the University and shall exercise all the powers to review the acts of the Academic Council and the Finance Committee and any other committee or authority constituted by the University and of the officers of the University.

(2) Without prejudice to the provisions of sub-section (1), the Board shall have the following powers and functions, namely:-

(i) to take decisions on question of policy relating to the academic and administrative matters and working of the University;

(ii) to institute courses of study at the University;

(iii) to make Regulations;

(iv) to consider and approve the annual report and the annual statement of accounts of the University for every financial year and to appoint auditor;

(v) to invest moneys and funds of the University and take decisions on the recommendations of the Finance Committee;

(vi) to publish or finance the publication of studies, treaties, books, periodicals, reports and other literature from time to time and to sell or arrange for the sale of the same as it may deem fit;

(vii) to create or abolish posts of teachers and other officers and employees of the University;

(viii) to appoint such committees as it considers necessary for the exercise of its powers and the performance of its duties under this Act;

(ix) to delegate any of its powers to the Director, Dean, Registrar, or any other officer, employee or authority of the University or to a committee appointed by it; and

(x) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by or under this Act or the Regulations and all such other powers for achieving the objects of the University.

Terms of office and vacancies among members of Board.

15. (1) The term of the nominated member of the Board shall be three years from the date of his nomination.

(2) An *ex-officio* member shall continue so long as he holds the office by virtue of which he is the member of the Board.

(3) Any vacancy in the Board occurring before the reconstitution or before the expiry of the prescribed period shall be filled in the same manner as provided in section 12 and such member shall hold office for the remainder of the term of a member, in whose place he is nominated.

(4) A member shall be eligible for re-nomination for the next term.

(5) A member may resign his office by writing under his hand, addressed to the President and his resignation shall take effect on the date it is accepted by the President.

Academic Council.

16. (1) The Academic Council of the University shall consist of the following members, namely:-

- (i) the Director of the University, who shall be the Chairman of the Academic Council;
- (ii) two academician or professional, to be nominated by the Board;
- (iii) two external academician or professional in the fields of education imparting by the University, to be nominated by the Director;
- (iv) two deans, by rotation to be nominated by the Director; and
- (v) one Professor from each discipline of the University, by rotation to be nominated by the Director.

(2) The Registrar shall be the Secretary of the Council,

(3) The term of office of the members shall be three years.

Powers and duties of Academic Council.

17. Subject to the provisions of this Act and the regulations, the Academic Council shall have the following powers and duties, namely:-

- (i) to exercise control over the academic policies of the University and shall be responsible for the maintenance and improvement of standards of instruction, education and evaluation in the University;
- (ii) to consider matters of general academic interest either on its own initiative or on a reference from the Faculty of the University or the Board and to take appropriate action thereon;
- (iii) to recommend to the Board such Regulations as are consistent with this Act regarding the academic functioning of the University including discipline of students; and
- (iv) to exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Regulations or by the Board.

18. (1) The Finance Committee shall consist of the following members, namely :- Finance Committee.

(i) the Director who shall be the Chairman of the Committee;

(ii) one member of the Board to be nominated by the President;

(iii) one Dean, by rotation to be nominated by the Director; and

(iv) one expert in the field of finance to be nominated by the President.

(2) The Registrar shall be the Secretary of the Committee.

(3) The term of office of the members shall be three years.

19. Subject to the provisions of this Act, the Finance Committee shall exercise the following powers and perform the following functions, namely:- Powers and functions of Finance Committee.

(i) to examine the annual accounts and annual budget estimates of the University and make recommendation to the Board thereon;

(ii) to review the financial position of the University from time to time;

(iii) to make recommendations to the Board on all financial policy matters of the University;

(iv) to make recommendations to the Board on all proposals involving raising of funds, receipts and expenditure;

(v) to provide guidelines for investment of surplus funds;

(vi) to make recommendations to the Board on all proposals involving expenditure for which no provision has been made in the budget or for which expenditure in excess of the amount provided in the budget has been incurred;

(vii) to examine all the proposals relating to revision of pay scales, upgradation of the scales and emoluments of officers and employees of the University and all those items which are not included in the budget, prior to placing before the Board; and

(viii) to exercise such other powers and perform such other functions as may be conferred or imposed upon it by the Regulations or by the Board.

20. (1) (a) The Director shall be appointed by the Board out of the panel of names recommended by the committee consisting of the following members to be nominated by the President, namely:- Director.

(i) an eminent technologist;

(ii) an eminent educationist; and

(iii) one member of the Board.

(b) The President shall designate one of the members of the Search Committee to be the Chairman of the Committee.

(2) The term of office of the Director shall be determined by the Board for a period of five years.

(3) Where a vacancy in the office of the Director occurs and it cannot be conveniently and expeditiously filled up in accordance with the provisions of sub-section (1) and if there is any emergency, the President, in consultation with the Board may appoint any suitable person to be the Director and may, from time to time extend the term for a period not exceeding one year.

(4) The terms and conditions of the service of the Director shall be such as may be prescribed by the Board and until so prescribed, shall be determined by the President.

Powers and duties of Director.

21. (1) The Director shall be the Chief Executive and Academic Officer of the University. He shall preside over at the meetings of the Academic Council and Finance Committee.

(2) The Director shall -

(i) exercise general superintendence and control over the affairs of the University;

(ii) ensure implementation of the decisions of the authorities of the University;

(iii) be responsible for imparting of instruction and maintenance of discipline in the University; and

(iv) exercise such other powers and perform such other duties as may be assigned to him by or under this Act or the Regulations or as may be delegated to him by the Board or by the President.

(3) Where any matter is of urgent nature requiring immediate action and the same cannot be immediately dealt with by the Chairman or Authority or body of the University empowered under this Act to deal with it, the Director may take such action as he may deem fit and shall forthwith report the action taken by him to the Chairman or authority or body of the University who or which, in the ordinary course, would have dealt with the matter:

Provided that if such authority or the body is of the opinion that such action ought not to have been taken by the Director, it may refer the matter to the Chairman who may either confirm the action taken by the Director or annul the same or modify it in such manner as he thinks fit and thereupon it shall cease to have effect or, as the case may be, shall take effect in such modified form, so however such modification or annulment

shall be without prejudice to the validity of anything previously done by or under the orders of the Director.

(4) Where the exercise of the power by the Director under sub-section (3) involves the appointment of any person, such appointment shall be confirmed by the competent authority empowered to approve such appointment, in accordance with the provisions of this Act and the regulations, not later than three months from the date of order of the Director, otherwise the same shall cease to have effect on the expiration of a period of six months from the date of order of the Director.

22. (1) The Deans of the University shall be appointed by the Director, with the approval of the Chairman, from amongst the faculty of the University. **Deans.**

(2) The Deans shall assist the Director in managing the academic and other affairs of the University and shall exercise such powers and perform such functions as may be prescribed or to be entrusted to them by the Director.

23. (1) The Registrar shall be appointed by the University in such manner and on such terms and conditions as may be prescribed. **Registrar**

(2) The Registrar shall exercise the following powers and perform following duties, namely:-

(i) He shall be responsible for the custody of records, common seal, the funds of the University and such other properties of the University;

(ii) He shall place before the Board and other authorities of the University, all such information and documents as may be necessary for transaction of its business;

(iii) He shall be responsible to the Director for the proper discharge of his functions;

(iv) He shall be responsible for the administration and services of the University and conducting the examination and make all other arrangements necessary thereof and be responsible for the execution of the processes connected therewith;

(v) He shall attest and execute all documents on behalf of the University;

(vi) He shall verify and sign the pleadings in all suits and other legal proceedings by or against the University and all processes in such suits and proceedings shall be issued to and served on the Registrar; and

(vii) He shall exercise such other powers and perform such other duties as may be assigned to him by or under this Act, the Regulations or as may be delegated to him by the Board or the Director.

CHAPTER IV
FUNDS, ACCOUNTS AND AUDIT

Permanent Endowment Fund of University.

24. The Trust shall place funds at the disposal of the University to be called the Permanent Endowment Fund of a sum of ten crores of rupees or such sum required for meeting the full operational expenditure of the University for three years whichever is more, in long term interest bearing securities issued or guaranteed by the Central Government or the State Government. On the termination of the involvement of the Trust and after meeting the operational expenditure for three years out of the Permanent Endowment Fund, if there is any unused balance that shall be paid back to the Trust.

Payment to University.

25. The Trust shall pay to the University from time to time such sums of moneys and in such manner as may be considered necessary for the exercise of its powers and discharge of its functions under this Act.

Funds of University.

26. (1) The University shall have its own funds consisting of –

(i) all moneys provided by the trust;

(ii) all fees and other charges received by the University;

(iii) all moneys received by the University by way of grants, loans, gifts, donations, benefactions, bequests or transfers;

(iv) all moneys received by the University from the collaborating Industry, in terms of the provisions of the Memorandum of Understanding between the University and the Industry for establishment of sponsored chairs, fellowships and infrastructure facilities of the University; and

(v) all moneys received by the University in any other manner or from any other source.

(2) All funds of the University shall be deposited in such banks or invested in such manner as the Board may decide on the recommendation of the Finance Committee.

(3) The funds of the University shall be applied towards the expenses of the University including expenses incurred in the exercise of its powers and discharge of its function.

Accounts and Audit.

27. (1) The University shall maintain proper accounts and other records and prepare an annual statement of accounts, including the income and expenditure accounts and the balance sheet, in such form and in such manner as may be prescribed.

(2) The University shall adopt a proper system of internal checks and balances and controls in the discharge of its finance, accounting and auditing functions as may be prescribed.

(3) The accounts of the University shall be audited every year by an auditor who shall be a Chartered Accountant as defined in the Chartered Accountant Act, 1949 or a firm of Chartered Accountants to be appointed by the Board.

XXXVIII of 1949.

(4) The accounts of the University certified by the person or firm so appointed or any other person authorized in this behalf together with the audit report thereon shall be placed before the Board and the Board may issue such instructions to the University in respect thereof as it deems fit and the University shall comply with such instructions.

(5) The accounts of the University shall be audited by an internal auditor who shall be a Chartered Accountant or a firm of Chartered Accounts appointed by the Board, to ensure concurrent audit of all books of accounts, and such periodic internal audit reports shall be placed before the Board for review.

(6) The University shall prepare for each year a report of its activities of the previous year and submit it in the form of an annual report to the Board for review and approval.

Pension, Provident Fund and Insurance.

28. (1) The University shall, with the approval of the Board, constitute for the benefit of its officers, teachers and other employees, in such manner and subject to such conditions, as may be prescribed, such schemes of pension, provident fund and insurance as it may deem fit and also aid in establishment and support of the associations, institutions, funds, trust and conveyance calculated to the benefit of the officers, teachers and employees of the University.

XIX of 1925.

(2) Where any such provident fund has been so constituted, the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

CHAPTER V
SUPPLEMENTARY PROVISIONS

Acts and proceedings not to be invalidated by vacancies.

29. No act or proceeding of the Board, or any authority of the University or any committee constituted under this Act or by the Regulations shall be questioned on the ground merely of the existence of any vacancy in or defect in the constitution of, the Board, Authority or Committee of the University.

Conferment of degrees, diplomas and grant of certificate by University.

30. Notwithstanding anything contained in any other State law for the time being in force, the University shall have powers to confer degrees, honorary degrees, diplomas and other academic distinctions, titles and grant certificates as approved by the Board.

Returns and information.

31. The University shall furnish to the State Government, University Grants Commission and other statutory authorities such reports, returns,

statements and other information as may be required by them from time to time.

Management of University on dissolution of Trust. **32.** The Trust shall give a notice of not less than four years period to the State Government of its intention to dissolve the Trust. The State Government may direct the University to cease fresh admissions and also direct the Trust to phase out the responsibility of running the University until the last batches of students in regular courses of the University complete their courses. It shall be obligatory on the part of the Trust not to compromise in terms of the quality of education and training in the interim years and provide reasonable exit benefits for the employees.

Officers and employees to be public servants. **33.** Every officer, teacher and other employees of the University shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. **45 of 1860.**

Explanation.- For the purpose of this section, any person, who is appointed by the University for a specified period or a specified work of the University or, who received any remuneration by way of allowances or fee for any work done from the University Fund, shall be deemed to be an officer or employee of the University while he is performing the duties and functions connected with such appointment or work.

Dismissal, removal, reduction and termination of service of staff of University. **34.** (1) No member of the teaching, non-teaching and other academic staff of the University shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges.

(2) An appeal from an order of dismissal, removal or reduction under sub-section (1) or of termination shall lie to the President within ninety days from the date of communication of such order and the decision of the President in such appeal shall be final.

CHAPTER VI
MISCELLANEOUS PROVISIONS

Powers of State Government to give directions. **35.** The State Government shall have powers to issue directions to the University from time to time as may be required for the compliance of the provisions of this Act, the Regulations and under any other law for the time being in force and the University shall be bound to comply with such directions.

Power to make Regulations. **36.** (1) Subject to the provisions of this Act, the Board shall have, in addition to all other powers vested in it, the power to make Regulations to provide for the administration and management of the affairs of the University.

(2) In particular and without prejudice to the generality of the foregoing powers, such Regulations may provide for all or any of the following matters, namely :-

(i) the summoning and holding of meetings of the authorities of the University other than the first meeting of the Board, and the quorum and conduct of business at such meeting;

(ii) the powers and functions to be exercised and discharged by the President of the Board of the University;

(iii) the constitution, powers and duties of the authorities, bodies and other committees of the University established under this Act, the qualifications and disqualifications for membership of such authorities, term of office of the membership, appointment and removal of members thereof and other matters connected therewith;

(iv) the procedure to be followed by the Board and any committee or other body constituted under this Act or by the Regulations in the conduct of the business, exercise of the powers and discharge of the functions;

(v) the procedure and criteria to be followed in establishing courses of study and admission of students;

(vi) the procedure to be followed for enforcing discipline in the University;

(vii) the management of the properties of the University;

(viii) the degrees, diplomas, certificates and other academic distinctions and titles which may be conferred or granted by the University and withdrawal or cancellation of any such degrees, diplomas, certificates and other academic distinctions and titles and the requirements thereof;

(ix) the conduct of examinations including term of office and appointment of examiners;

(x) the creation of posts of Professors, Associate Professors, Assistant Professors, Readers, Lecturers or equivalent academic designations or posts, officers and employees of the University and the appointment of persons to such posts including the qualifications requisite therefor;

(xi) the fees and other charges which may be paid to the University for the courses, training, facilities and services provided by it;

(xii) the manner and conditions for constitution of pension, provident funds, insurance and such other schemes for the benefit of officers, teachers and other employees of the University;

(xiii) the terms and conditions applicable for association of the University with other institutions;

(xiv) the preparation of budget estimates and maintenance of accounts;

(xv) the mode of execution of contracts or agreement by or on behalf of the University;

(xvi) the classification and procedure for appointment of officers and staff of the University;

(xvii) the terms and tenure of appointments, salaries and allowances, contractual services, rules of discipline and other conditions of service of the Director, other officers, teachers and employees of the University;

(xviii) the terms and conditions governing deputation of officers and staff of the university;

(xix) the powers and duties of the Director and other officers, teachers and employees of the University;

(xx) the terms and conditions governing fellowship, scholarships, stipends, medals and prizes;

(xxi) the authentication of the orders and decisions of the Board;

(xxii) the matters relating to hostels and halls of residence including disciplinary control therein; and

(xxiii) all matters which, by this Act, are to be or may be prescribed by the Regulations.

Indemnity 37. No suit, prosecution or other legal proceedings shall lie against and no damages shall be claimed from the University, the Director, the authorities or officers of the University or any other person in respect of anything which is done in good faith or purporting to be done in pursuance of this Act or any Regulation made thereunder.

CHAPTER VII
TRANSITORY PROVISIONS

Transitory provisions. **38.** Notwithstanding anything contained in this Act,-

(i) the Chairman of the Trust holding the post as such immediately before the commencement of this Act shall be the first President of the University,

(ii) one of the trustees nominated by the Trust shall be the first Director of the University;

(iii) the first Director may, with the prior approval of the President and subject to the availability of the funds, discharge all or any of the functions of the University for the purpose of carrying out the provisions of this Act and for that purpose, may exercise the powers and perform the duties which by or under this Act are required to be exercised or performed by any authority of the University until such authority comes into existence in accordance with the provisions of this Act. The Trust shall review and monitor such actions taken by the Director.

Completion of courses of students in colleges affiliated to Gujarat University.

39. Notwithstanding anything contained in this Act or the Regulations, any student of the Colleges or Institutions specified in the Schedule, situated within the University area and affiliated to the Gujarat University who immediately before the commencement of this Act was studying or was eligible for any examination of the Gujarat University shall be permitted to complete his course in preparation therefore, and the University shall provide for such period and in such manner as may be prescribed for the instruction, teaching, training and examination of such students, in accordance with the courses of studies of the Gujarat University.

Power to remove difficulties.

40. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the *Official Gazette*, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing difficulties:

Provided that no such order shall be made under this section after the expiry of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before the State Legislature.

SCHEDULE

(*See* sub-section (4) of section 3 and section 39)

COLLEGES / INSTITUTIONS AFFILIATED TO THE GUJARAT UNIVERSITY

Sr. No.	Name of the Colleges / Institutions	Courses being offered
1.	K. B. Institute of Pharmaceutical Education and Research and D.R. Patel Centre for Advanced Studies in Pharmaceutical Bio-technology, Gandhinagar.	B. Pharm. and M. Pharm
2.	S.K. Patel Institute of Management and Computer Studies, Gandhinagar.	M.B.A. and M.C.A.
3.	Bholabhai Patel College of Business Administration, Gandhinagar.	B.B.A.
4.	Bholabhai Patel College of Computer Studies, Gandhinagar.	B.C.A.
5.	Ashvinbhai A. Patel Commerce College, Gandhinagar.	B.Com.
6.	Shardaben Shantibhai Patel College of Education, Gandhinagar.	B.Ed. (Gujarati Medium)
7.	R.H. Patel English Medium B.Ed. College, Gandhinagar.	B.Ed. (English Medium)

Government Central Press, Gandhinagar.

Extra No. 3

REGISTERED No. L2/RNP/G/GNR/84
વાર્ષિક લવાજમનો દર રૂા. ૩૦૦૦/-

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The Gujarat Government Gazette

EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 15th **March, 2012,** is hereby published for general information.

C. J. GOTHI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department

GUJARAT ACT NO. 3 OF 2012.

(First published, after having received the assent of the Governor, in the *"Gujarat Government Gazette",* on the 16th March, 2012).

AN ACT

further to amend the Kadi Sarva Vishwavidyalaya Act, 2007.

It is hereby enacted in the Sixty- third Year of the Republic of India as follows:-

1. (1) This Act may be called the Kadi Sarva Vishwavidyalaya (Amendment) Act, 2012. **Short title and commencement.**

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of section 2 of Guj. 21 of 2007.

2. In the Kadi Sarva Vishwavidyalaya Act, 2007 (hereinafter referred to as "the principal Act"), in section 2, for clause (k), the following clause shall be substituted, namely:- Guj. 21 of 2007.

"(k) "Schedule" means Schedules appended to this Act;".

Amendment of section 3 of Guj. 21 of 2007.

3. In the principal Act, in section 3,-

(1) in sub-section (4), for the words "the Schedule", the word and figure "Schedule I" shall be substituted;

(2) after sub-section (4), the following sub-section shall be inserted, namely :-

"(4A) The colleges and institutions specified in Schedule II, affiliated to and enjoying the privileges of the Gujarat Technological University or, as the case may be, the Hemchandracharya North Gujarat University immediately before the commencement of the Kadi Sarva Vishwavidyalaya (Amendment) Act, 2012 shall cease to be affiliated from the Gujarat Technological University or, as the case may be, the Hemchandracharya North Gujarat University and shall be deemed to be withdrawn from such privileges from the date of the commencement of the Kadi Sarva Vishwavidyalaya (Amendment) Act, 2012 and shall be deemed to be admitted to the privileges of the University, and all such colleges and institutions shall be the constituent colleges and institutions of the University.". Guj. 3 of 2012. Guj. 3 of 2012.

Amendment of section 7 of Guj. 21 of 2007.

4. In the principal Act, in section 7, in clauses (i) and (vii), the words "within the University campus" shall be deleted.

Amendment of section 39 of Guj. 21 of 2007.

5. In the principal Act, in section 39, for the words "the Schedule", the word and figure "Schedule I" shall be substituted.

Insertion of new section 39A in Guj. 21 of 2007.

6. In the principal Act, after section 39, the following section shall be inserted, namely:-

Completion of courses of students in colleges affiliated to Gujarat Technological University or Hemchandracharya North Gujarat University.

"**39A.** Notwithstanding anything contained in this Act or the Regulations, any student of the colleges or institutions specified in Schedule II and affiliated to the Gujarat Technological University or, as the case may be, the Hemchandracharya North Gujarat University, who immediately before the commencement of the Kadi Sarva Vishwavidyalaya (Amendment) Guj. 3 of 2012

Act, 2012 was studying or was eligible for any examination of the Gujarat Technological University or, as the case may be, the Hemchandracharya North Gujarat University shall be permitted to complete his course in preparation therefore, and the University shall provide for such period and in such manner as may be prescribed for the instruction, teaching, training and examination of such students, in accordance with the courses of studies of the Gujarat Technological University or as the case may be, the Hemchandracharya North Gujarat University.".

Insertion of new Schedule to Guj. 21 of 2007.

7. In the principal Act, the existing Schedule shall be renumbered as Schedule I, and after Schedule I as so renumbered, the following Schedule shall be added, namely:-

"SCHEDULE II

(*See* sub-section (4A) of section 3 and section 39A)

Sr. No.	Name of the Colleges / Institutions	Courses being offered	Affiliated to
1	2	3	4
1.	Leelaben Dashrathbhai Ramdas Patel (LDRP) Institute of Technology and Research, Gandhinagar.	Bachelor of Engineering, Master of Engineering, Master of Business Administration (M.B.A.), Master of Computer Application (M.C.A.)	Gujarat Technological University
2.	S. V. Institute of Computer Studies, Kadi.	Master of Computer Application (M.C.A.)	Gujarat Technological University
3.	S. V. Institute of Management, Kadi	Master of Business Administration (M.B.A.)	Gujarat Technological University
4.	Narsinhbhai Patel College of Computer Studies and Management, Kadi.	Bachelor of Business Administration (B.B.A.), Bachelor of Computer Application (B.C.A.) and Post-Graduate Diploma in Computer Application (PGDCA)	Hemchandracharya North Gujarat University
5.	S. V. College of Education, Kadi	Bachelor of Education (B. Ed.) (Gujarati Medium)	Hemchandracharya North Gujarat University
6.	Acharya Shri Manubhai J. Patel M.Ed, College, Kadi.	Master of Education (M. Ed.)	Hemchandracharya North Gujarat University".

GOVERNMENT CENTRAL PRESS, GANDHINAGAR